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10 Attorneys for Third-Party Defendant  
11 AMERICAN ASPHALT & GRADING COMPANY

12 UNITED STATES DISTRICT COURT

13 DISTRICT OF NEVADA

14 \* \* \* \* \*

15 AZURE MANOR/RANCHO DE PAZ  
16 HOMEOWNERS ASSOCIATIONS, a Nevada  
17 residential, common-interest planned  
18 community,

19 Plaintiff,

20 vs.

21 D.R. HORTON, INC., a Delaware corporation,  
22 and DOES 1-100, inclusive,

23 Defendant.

24 D.R. HORTON, INC.

25 Third-Party Plaintiff,

vs.

ALLARD ENTERPRISES d/b/a IRON  
SPECIALISTS; AMERICAN ASPHALT &  
GRADING COMPANY; ATRIUM DOOR  
AND WINDOW COMPANY; BEBOUT  
CONCRETE, INC.; BEL-AIR PLASTERING,  
INC.; CENTRAL VALLEY INSULATION;

CASE NO. 2:14-CV-02222-JCM-NJK  
DEPT NO.

STIPULATION AND ORDER FOR  
DISMISSAL OF THIRD-PARTY  
DEFENDANT AMERICAN ASPHALT &  
GRADING COMPANY, WITH PREJUDICE

1 CRATIVE TOUCH INTERIORS, INC.;  
 2 DISTINCTIVE MARBLE, INC.; EFFICIENT  
 3 ENTERPRISES, INC. d/b/a EFFICIENT  
 4 ELECTRIC, INC.; GILMORE  
 5 CONSTRUCTION, LLC; HARRISON  
 6 LANDSCAPE COMPANY, LLC; MAJESTI  
 7 CULUMING, INC.; NEVADA  
 8 LANDSCAPING, INC.; NEW CREATION  
 9 MASONRY, INC.; OPM, INC. d/b/a  
 10 CONSOLIDATED ROOFING; QUALITY  
 11 WOOD PRODUCTS, LTD.; SILVER STATE  
 12 FIREPLACES, INC.; SOUTHERN NEVADA  
 13 PAVING, INC.; SUMMIT DRYWALL &  
 14 PAINT, LLC; SUNRISE MECHANICAL, INC.;  
 15 SUNSTATE COMPANIES, INC. d/b/a  
 16 SUNSTATE LANDSCAPE; WESTERN  
 17 SHOWER DOOR; ZEPEDA BROS. PAINT &  
 18 DRYWALL, LLC; and DOES 1 through 150,

19 Third-Party Defendants.

20 **STIPULATION AND ORDER FOR DISMISSAL OF THIRD-PARTY DEFENDANT**  
 21 **AMERICAN ASPHALT & GRADING COMPANY, WITH PREJUDICE**

22 IT IS HEREBY STIPULATED by Defendants/Third-Party Plaintiffs D.R. HORTON, INC.  
 23 and Third-Party Defendant AMERICAN ASPHALT & GRADING COMPANY, that Third-Party  
 24 Defendant AMERICAN ASPHALT & GRADING COMPANY is hereby dismissed from the above-  
 25 captioned matter **with prejudice**.

The parties further stipulate that neither party is to be considered the prevailing party and the  
 claims originally made against American Asphalt were not frivolous. However, AMERICAN  
 ASPHALT & GRADING COMPANY does not stipulate that any defects exist or are alleged to exist  
 in their scope of work.

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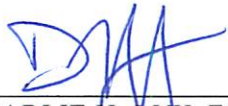
1 This Stipulation is entered into in good faith, in the interest of judicial economy, and not for the  
2 purposes of delay. Each party are to bear its own fees and costs.

3  
4 DATED: <sup>OCTOBER</sup>~~September~~ 2, 2019

<sup>October</sup>~~September~~ 2, 2019

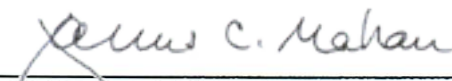
5 LUH & ASSOCIATES

WOOD SMITH HENNING & BERMAN

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Nevada State Bar No. 13034  
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Las Vegas, Nevada 89128  
Attorneys for Defendants  
D.R. HORTON, INC.

14  
15 IT IS SO ORDERED.

16   
17 UNITED STATES DISTRICT JUDGE

18  
19 DATED: October 7, 2019